

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

James Neely # 30-137

(Enter above the full name of
the Plaintiff[s] in this
action. Include register or
identification number[s].)

- vs -

City of Ferguson

Ferguson Police Dept

Case No. _____

Jury Trial Demanded

(Enter above the full name of
ALL Defendant[s] in this
action. Fed. R. Civ. P. 10(a)
requires that the caption of
the complaint include the
names of all the parties.
Merely listing one party and
"et al." is insufficient.
Please attach additional sheets
if necessary.)

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

I. PLACE OF PRESENT CONFINEMENT OF PLAINTIFF(S):

Medium Security Institution 7600 Hall St. St. Louis, Mo. 63147

II. PREVIOUS CIVIL ACTIONS:

- A. Have you begun other civil actions in state or federal
court dealing with the same facts involved in this
action, or otherwise relating to your confinement?

YES []

NO [X]

- B. If your answer to "A" is YES, describe the action in the space below. (If there is more than one civil action, you must describe the additional lawsuit[s] on another piece of paper, using the same format as is outlined below.) Your failure to comply with this provision will result in summary denial of your complaint.

1. Parties to previous civil action(s):

Plaintiff(s): N/A

Defendant(s): N/A

2. Court wherein filed:

N/A

3. Docket number or Case number:

N/A

4. Name of Judge to whom case was assigned:

N/A

5. Basic claim made:

N/A

6. Present disposition (Was the case dismissed? Was it appealed? Is it still pending?):

N/A

7. Date filed:

N/A

8. Date of disposition:

N/A

III. GRIEVANCE PROCEDURES:

- A. Is there a prisoner grievance procedure at the institution wherein you are incarcerated?

YES [☒]

NO [☐]

- B. Have you presented through this grievance system the facts which are at issue in this complaint?

YES [] NO [X]

- C. If your answer to "B" is YES, indicate:

1. What steps did you take?

N/A

- D. If your answer to "B" is NO, explain why you have not used the institutional grievance system:

City of Ferguson refused my plans to file a formal grievance
AND the place I'm currently detained isn't subject.

- E. If there is no prisoner grievance procedure at the institution wherein you are incarcerated, have you complained to prison authorities?

YES [] NO [X]

- F. If your answer to "E" is YES, indicate:

1. What steps did you take?

N/A

2. What was the result?

N/A

IV. PARTIES TO THIS CIVIL ACTION:

In item A, below place your name in the first blank, place your present address in the second blank and place your identification number or register number in the third blank. Do the same for any additional plaintiff(s) under Item C, below:

A. Name of Plaintiff: JAMES NEELY
Plaintiff's address: 200 South Tucker St. No. 63102
Identification number: 30737

In item B, below, place the full name of the defendant in the first blank, his official position in the second, and his place of employment and address in the third blank. Use Item C for the names, the official positions, and the places of employment and addresses of any additional defendant(s).

B. Defendant CITY OF FERGUSON is employed
as St. Louis County municipality at 110 Church Street
Ferguson, Missouri 63135.

C. Additional plaintiff(s) and address(es):

Additional defendant(s) and address(es):

Ferguson Police Dept. @ 110 Church Street
@ St. Louis Ferguson, Missouri 63135

V. COUNSEL:

- A. Do you have an attorney to represent you in the present civil action?

YES []

NO [☒]

- B. If your answer to "A" is NO, have you made any effort to contact a private attorney to represent you in this matter?

YES [☒]

NO []

- C. If your answer to "B" is YES, state the name(s) and the address(es) of the attorney(s) you have contacted and explain the results of those efforts:

Contacted the Lawyer's Referral Service of St. Louis @

815 Olive but the organization wouldn't provide counsel because of

my poverty, there fore I request appointment of counsel.

- D. If your answer to "B" was NO, explain why you have not made such efforts:

N/A

- E. Have you previously been represented by counsel in a civil action in this Court?

YES []

NO [☒]

- F. If your answer to "E" is YES, state that attorney's name and address:

N/A

VI. STATEMENT OF CLAIM:

State here, as briefly as is possible, that facts of your claim. Describe how each defendant is involved. Include also the names of other persons involved, and dates and places. Do not make any legal arguments; cite no cases or statutes. If you intend to raise two or more related claims, number and set forth each claim in a separate

paragraph. Avoid using more space than is provided. The Court strongly disapproves of the stating of claims outside the provided space. Unrelated claims must be made in a separate complaint.

VI. STATEMENT OF CLAIM (continued)

On or about 6/6/06 I was being held @ the City of Ferguson's jail for minor traffic offenses. Jail officials denied my due process rights by not allowing me access to the telephone so that I could contact an attorney or arrange bail from the charges. I was also subjected to cruel and unusual punishment in that during the three days of my being held, food was deprived of me by the same jail officials though I requested and never denied that I wanted to be fed. Threats and intimidation were also used as tactics to elicit fear so that I wouldn't notify authorities of the egregious behavior and Federal Civil Rights violations that I experienced from the City of Ferguson's jail officials. These acts seem to be a standard practice @ that facility and need to be addressed forthwith.

VII. RELIEF:

State briefly and exactly what you want the Court to do for you. Make no legal arguments; cite no cases or statutes. (Note: If you are a state prisoner and seek from this Court relief which affects the length or duration of your imprisonment e.g., restoration of good time forfeited, expungement of records, parole release decisions, et cetera - your case must be filed on a \$2254 form.)

Investigate the officials and give the appropriate punishment
under the law f/ the rights violations, along w/ an apology to myself
for the mistreatment... Also payment to myself in
regards to the pain, suffering and mental anguish
that resulted from this mistreated mistreatment.

VIII. MONEY DAMAGES:

- A. Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES ☒

NO ☐

- B. If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

Actual damages of \$100,000 for the rights violations
along with the mental anguish and other acts associated w/ this misdeed.
Punitive damages of \$100,000 to stop the practice from continuing.

- XI. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

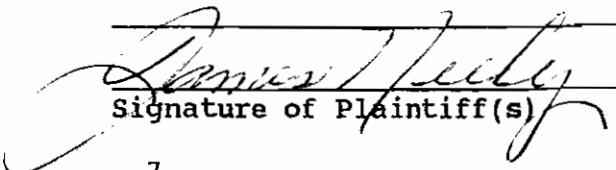
YES ☒

NO ☐

I declare under penalty of perjury that the foregoing is true and correct. Signed this 14th day of MAY, 2007.

5/14/07

Date


Signature of Plaintiff(s)